

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, APRIL 12, 2017

Produced daily by the State of Iowa during the sessions of the General Assembly.
(The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE HOUSE

Ninety-fourth Calendar Day - Sixty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 12, 2017

The House met pursuant to adjournment at 8:32 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Reverend Jamal Crawford, New Life Center, Des Moines. He was the guest of Abdul-Samad of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Sam Lundry, Page from Bettendorf.

The Journal of Tuesday, April 11, 2017, was approved.

INTRODUCTION OF BILL

[House File 632](#), by Kearns, a bill for an act relating to property taxes levied by a township for the improvement and maintenance of certain cemeteries and including applicability provisions.

Read first time and referred to committee on **Ways and Means**.

ADOPTION OF [HOUSE RESOLUTION 21](#)

Hagenow of Polk called up for consideration [House Resolution 21](#), a resolution recognizing and congratulating the Southwestern Community College men's basketball team and program on its outstanding regional and national athletic achievements.

Moore of Cass moved the adoption of [House Resolution 21](#).

The motion prevailed and the resolution was adopted.

ADOPTION OF [HOUSE RESOLUTION 20](#)

Hagenow of Polk called up for consideration [House Resolution 20](#), a resolution recognizing the national significance of Actor John Wayne's accomplishments and designating May 26, 2017, as John Wayne Day in Iowa.

Gustafson of Madison moved the adoption of [House Resolution 20](#).

The motion prevailed and the resolution was adopted.

On motion by Hagenow of Polk, the House was recessed at 8:47 a.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:27 p.m., Wills of Dickinson in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed ninety members present, ten absent.

INTRODUCTION OF BILLS

[House File 633](#), by committee on Appropriations, a bill for an act relating to shared operational functions for purposes of supplementary weighting for school districts.

Read first time and placed on the **Appropriations calendar**.

[House File 634](#), by committee on Appropriations, a bill for an act relating to educational assistance programs administered by the college student aid commission for nurses, physician assistants, advanced registered nurse practitioners, and nurse educators.

Read first time and placed on the **Appropriations calendar**.

CONSIDERATION OF BILLS
Unfinished Business Calendar

House File 20, a bill for an act relating to the criminal offense of sexual exploitation by a school employee, and making penalties applicable, with report of committee recommending amendment and passage, was taken up for consideration.

Jones of Clay offered amendment [H-1006](#) filed by the committee on Judiciary.

Jones of Clay offered amendment [H-1330](#), to the committee amendment [H-1006](#), filed by her from the floor and moved its adoption.

Amendment [H-1330](#), to the committee amendment [H-1006](#), was adopted, placing out of order amendment [H-1016](#) filed by Jones of Clay on February 6, 2017.

Jones of Clay moved the adoption of the committee amendment [H-1006](#), as amended.

The committee amendment [H-1006](#), as amended, was adopted.

[SENATE FILE 238](#) SUBSTITUTED FOR [HOUSE FILE 20](#)

Jones of Clay asked and received unanimous consent to substitute [Senate File 238](#) for [House File 20](#).

Senate File 238, a bill for an act relating to the criminal offense of sexual exploitation by a school employee, and making penalties applicable, was taken up for consideration.

Jones of Clay moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 238](#))

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomington	Breckenridge
Brown-Powers	Carlin	Carlson	Cohoon
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanson	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Winckler
Windschitl	Wolfe	Worthan	Zumbach
Wills, Presiding			

The nays were, none.

Absent or not voting, 3:

Cownie	Forristall	Jacoby
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Ways and Means Calendar

[House File 627](#), a bill for an act exempting co-owners of motor vehicles of deceased persons from fees related to the issuance of certificates of title, was taken up for consideration.

Bloomington of Worth moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 627](#))

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomington	Breckenridge
Brown-Powers	Carlin	Carlson	Cohon
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanson	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Winckler
Windschitl	Wolfe	Worthan	Zumbach
Wills, Presiding			

The nays were, none.

Absent or not voting, 3:

Cownie	Forristall	Jacoby
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unfinished Business Calendar

[House File 578](#), a bill for an act relating to termination of parental rights and adoption proceedings, and providing penalties, was taken up for consideration.

Carlin of Woodbury offered amendment [H-1328](#) filed by him from the floor and moved its adoption.

Amendment [H-1328](#) was adopted.

SENATE FILE 433 SUBSTITUTED FOR HOUSE FILE 578

Carlin of Woodbury asked and received unanimous consent to substitute Senate File 433 for House File 578.

Senate File 433, a bill for an act relating to termination of parental rights and adoption proceedings, and providing penalties, was taken up for consideration.

Carlin of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 433)

The ayes were, 75:

Abdul-Samad	Bacon	Baltimore	Baudler
Baxter	Bearinger	Bergan	Best
Bloomington	Breckenridge	Carlin	Carlson
Cohoon	Deyoe	Dolecheck	Fisher
Forbes	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hall
Hanson	Hanusa	Heartsill	Heaton
Hein	Highfill	Hinson	Holt
Holz	Huseman	Jones	Kacena
Kaufmann	Kearns	Kerr	Klein
Koester	Kressig	Landon	Lundgren
Maxwell	McConkey	McKean	Meyer
Miller	Mohr	Mommsen	Moore
Nunn	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Salmon
Sexton	Sheets	Sieck	Smith, M.
Staed	Taylor, R.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wheeler	Windschitl
Worthan	Zumbach	Wills,	
		Presiding	

The nays were, 22:

Anderson	Bennett	Brown-Powers	Finkenauer
Gaines	Gaskill	Heddens	Hunter
Isenhardt	Kurth	Lensing	Mascher
Nielsen	Oldson	Olson	Running-Marquardt
Smith, R.	Steckman	Taylor, T.	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, 3:

Cownie Forristall Jacoby

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Ways and Means Calendar

[House File 628](#), a bill for an act relating to snowmobile user permits and registration fees, was taken up for consideration.

Maxwell of Poweshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 628](#))

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomington	Breckenridge
Brown-Powers	Carlin	Carlson	Cohoon
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanson	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Winckler
Windschitl	Wolfe	Worthan	Zumbach
Wills, Presiding			

The nays were, none.

Absent or not voting, 3:

Cownie Forristall Jacoby

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED
House Concurred

Moore of Cass called up for consideration [House File 233](#), a bill for an act relating to the use of step therapy protocols for prescription drugs by health carriers, health benefit plans, and utilization review organizations, and including applicability provisions, amended by the Senate, and moved that the House concur in the Senate amendment [H-1323](#).

The motion prevailed and the House concurred in the Senate amendment [H-1323](#).

Moore of Cass moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 233](#))

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingdale	Breckenridge
Brown-Powers	Carlin	Carlson	Cohoon
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanson	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller	Mohr	Mommsen	Moore

Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Winckler
Windschitl	Wolfe	Worthan	Zumbach
Wills, Presiding			

The nays were, none.

Absent or not voting, 3:

Cownie	Forristall	Jacoby
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unfinished Business Calendar

[House File 487](#), a bill for an act relating to medical malpractice claims, including expert witnesses and defenses, was taken up for consideration.

Hinson of Linn offered amendment [H-1222](#) filed by her and moved its adoption.

Roll call was requested by M. Smith of Marshall and Prichard of Floyd.

On the question "Shall amendment [H-1222](#) be adopted?" ([H.F. 487](#))

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Breckenridge
Brown-Powers	Carlin	Carlson	Cohoon
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanson	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth

Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Winckler
Windschitl	Wolfe	Worthan	Zumbach
Wills, Presiding			

The nays were, none.

Absent or not voting, 3:

Cownie	Forristall	Jacoby
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Amendment [H-1222](#) was adopted, placing out of order amendment [H-1204](#) filed by Baltimore of Boone on March 15, 2017.

[SENATE FILE 465](#) SUBSTITUTED FOR [HOUSE FILE 487](#)

Hinson of Linn asked and received unanimous consent to substitute [Senate File 465](#) for [House File 487](#).

[Senate File 465](#), a bill for an act relating to medical malpractice claims, including noneconomic damage awards and expert witnesses, was taken up for consideration.

Hinson of Linn offered amendment [H-1329](#) filed by her from the floor and moved its adoption.

Roll call was requested by M. Smith of Marshall and R. Smith of Black Hawk.

On the question "Shall amendment [H-1329](#) be adopted?" ([S.F. 465](#))

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Breckenridge
Brown-Powers	Carlin	Carlson	Cohoon
Deyoe	Dolecheck	Finkenauer	Fisher

Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanson	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Winckler
Windschitl	Wolfe	Worthan	Zumbach
Wills, Presiding			

The nays were, none.

Absent or not voting, 3:

Cownie	Forristall	Jacoby
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Amendment [H-1329](#) was adopted.

Sheets of Appanoose asked and received unanimous consent to withdraw amendment [H-1331](#) filed by him from the floor.

Hinson of Linn offered amendment [H-1332](#) filed by her from the floor and moved its adoption.

Amendment [H-1332](#) was adopted.

Hinson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 465](#))

The ayes were, 65:

Bacon	Baltimore	Baxter	Bearinger
Bergan	Best	Bloomington	Brown-Powers

Carlin	Carlson	Deyoe	Dolecheck
Fisher	Fry	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Hinson	Holt
Holz	Huseman	Isenhart	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	McConkey	Mohr
Mommsen	Moore	Nielsen	Nunn
Olson	Ourth	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sieck	Smith, M.	Steckman	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Windschitl	Wolfe	Worthan	Zumbach
Wills, Presiding			

The nays were, 32:

Abdul-Samad	Anderson	Baudler	Bennett
Breckenridge	Cohoon	Finkenauer	Forbes
Gaines	Hall	Hanson	Hunter
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	Maxwell	McKean
Meyer	Miller	Oldson	Prichard
Running-Marquardt	Sheets	Smith, R.	Staed
Taylor, T.	Thede	Wessel-Kroeschell	Winckler

Absent or not voting, 3:

Cownie	Forristall	Jacoby
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Cownie of Polk	Forristall of Pottawattamie
Jacoby of Johnson	

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 20, 326, 487, 537 and 578 from further consideration by the House.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 233, 627, 628** and **Senate Files 238, 433** and **465**.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 12th day of April, 2017: [House File 517](#).

CARMINE BOAL
Chief Clerk of the House

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 199](#) Appropriations

Relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters and including effective date provisions.

[H.S.B. 200](#) Appropriations

Relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing for related matters.

[H.S.B. 201](#) Appropriations

Relating to appropriations to the justice system.

[H.S.B. 202](#) Appropriations

Relating to appropriations to the judicial branch.

SUBCOMMITTEE ASSIGNMENT

[Senate File 499](#)

(Committee of the Whole)

Government Oversight: Heartsill, Chair; Finkenauer, Heaton, Kaufmann, Lensing, Pettengill, Thede, Windschitl and Wolfe.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

[House Study Bill 198](#)

Appropriations: Hinson, Chair; Oldson and Rogers.

AMENDMENTS FILED

H-1328	H.F. 578	Carlin of Woodbury
H-1329	S.F. 465	Hinson of Linn
H-1330	H.F. 20	Jones of Clay
H-1331	S.F. 465	Sheets of Appanoose
H-1332	S.F. 465	Hinson of Linn
H-1333	S.F. 475	Olson of Polk
H-1334	S.F. 475	Winckler of Scott

On motion by Hagenow of Polk, the House adjourned at 5:36 p.m., until 8:30 a.m., Thursday, April 13, 2017.